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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/501,024	02/09/2000	Naoaki Komiya		3316

23413 7590 03/15/2004

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EXAMINER

NGUYEN, DUNG T

ART UNIT	PAPER NUMBER
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2871

DATE MAILED: 03/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s) K	
	09/501,024	KOMIYA ET AL.	
	Examiner	Art Unit	
	Dung Nguyen	2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5 and 8-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5 and 8-26 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>11/24/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/24/2003 has been entered.
2. Applicants' amendment dated 11/24/2003 has been received and entered. By the amendment, claims 1, 3-5 and 8-26 are now pending in the application.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1, 3-5 and 8-26 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada et al., US Patent No. 6,072,450, in view of Applicant's admitted prior art (APA), figure 1, as stated in the previous office action.

Regarding the above claims, Yamada et al. disclose an organic electroluminescent (EL) display (figures 22 and 23) comprising:

- . a substrate (101);
- . an insulating layer (102);
- . a common cathode (107) and a discrete anode (103) as claimed;
- . an electroluminescent layer (106);

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. first and second driving display thin film transistors (TFT) (T1 and T2).

Although the Yamada et al. do not disclose a peripheral driving circuit and a common cathode absent from the driving circuit, APA, figure 1 does show a peripheral driving circuit having vertical (10) and horizontal (20) drive circuits formed surrounding a display region and integrated on the substrate (100). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to form a peripheral integrated driving circuit on the same substrate as display pixel region as shown in APA, figure 1, because it is a common practice in the art and involves only routine skill in the art to make a portable device. In addition, it would have been obvious to one skilled in the art at the time of the invention was made to employ a common cathode cover the display region only for the display purpose.

Applicants contend that Examiner has not pointed to any references that teach the common cathode would not be formed over entire substrate, it is noted that the features upon which applicant relies is not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. The Examiner agrees that Yamada neither teach integrating circuits on the same substrate as the pixel section; however, Yamada nor disclose the common cathode would formed over the integrating circuits. Therefore, one skilled in the art would be able to merely find how to form a common cathode in an EL display such as the way of teaching of Yamada that the common cathode formed over entire display region.

In addition, Applicants cited the reference JP '606 to support that one skilled in the would formed a common cathode over entire substrate including the integrating circuits. The Examiner is not convinced by this argument since each patent contends a different invention from the

other. In this case the JP '606 might teach the common cathode can be formed over entire substrate including the integrating circuits; however, the Examiner has not based on such JP reference for rejection. Furthermore, the function of cathode is for displaying, so as one skilled in the art would be understand that such common cathode needs not to form outside a display region. (i.e., cover the integrating circuits).

Accordingly, such rejection of claims 1, 3-5 and 8-26 stand.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Nguyen whose telephone number is 571-272-2297. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on 571-272-2293. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DN
03/08/2004



Dung Nguyen
Patent Examiner
Art Unit 2871